
**Rules of
Department of Revenue
Division 50—Missouri Horse Racing
Commission
Chapter 15—Breeding Fund**

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Title 12—DEPARTMENT OF REVENUE

Division 50—Missouri Horse Racing Commission

Chapter 15—Breeding Fund

12 CSR 50-15.010 Standardbred Breeding Fund

PURPOSE: This rule sets forth rules for administration and qualifications of breeding funds for standardbred horses.

(1) The Missouri Standardbred Breeders Fund is created, referred to in these rules as the fund. The fund shall be administered by the commission, with the assistance and advice of the Missouri Standardbred Breeders Fund Advisory Committee, referred to in these rules as the committee.

(A) All payments from the fund shall be made by order of the commission.

(B) Each association licensed by the commission to conduct standardbred racing shall allocate the amounts specified by the rules of the commission and statute to the fund, which shall be deposited by the commission in one (1) or more banks or trust companies in the state. The members of the commission shall have no personal liability for loss to the fund by reason of the failure or insolvency or other fault of any depository if they use ordinary care in the selection of the depository. The deposits shall be secured by collateral.

(C) Any monies allocated under subsection (1)(B) not disbursed during a current race meeting in Missouri shall be paid to the commission within five (5) days after the close of each meeting.

(D) Standardbred registration fees shall also be deposited in the fund.

(E) The committee shall consist of five (5) members—two (2) from the organization that represents the majority of the state's standardbred breeders, one (1) member from the licensed associations, one (1) member at large appointed by the commission and one (1) member of the commission who shall be the chairman of the committee.

1. Members shall be appointed by June 1 of each year. If any member other than the commission member has not been recommended by June 1 of each year, the commission shall make the appointment for the organization failing to do so by this deadline.

2. Members shall receive no compensation for services.

(F) The commission and the committee shall expend funds only—

1. To provide administration expenses of the fund up to ten percent (10%) of annual fund income;

2. To provide purse supplements to owners of horses participating in races limited to Missouri-foaled horses;

3. To provide stakes and rewards in races designated as stakes for owners of winning horses in races limited to Missouri-foaled or Missouri-owned horses;

4. To provide stallion awards to the owner of the Missouri stallion which is the sire of a Missouri-foaled horse which wins any race at a state racing meeting; or

5. To provide for promotions of the fund.

(G) Any purse monies authorized in this rule and paid in any fund race shall not be included in or have any relation to the purses, stakes or breeders' bonuses paid by any licensed association for any races other than fund races, for which purses, stakes or breeders' bonuses are determined by agreement or formula between each association and an organization representing the horsemen racing.

(H) Associations may add to any purse offered by the commission in any fund race.

(I) After May 31, 1987 each association conducting standardbred racing shall provide at least one (1) race each racing day or at least five (5) per week limited to Missouri-foaled horses. The races shall be known as Missouri Standardbred Breeders Fund Races. No horses shall be permitted to start in these races unless duly registered under the rules of the commission—

1. Conditions of these races shall be commensurate with past performance, quality and class of Missouri-foaled horses available;

2. Conditions of the races shall be determined by the association and shall be approved by the commission upon recommendation of the committee; and

3. If any fund race fails to attract at least five (5) entries, the association or the commission shall cancel the race and no fund purses shall be paid. In the event the commission cancels a race, it shall notify the association in time to permit a substitute race to be scheduled.

(J) The breeder or owner of a Missouri-bred foal, mare or stallion shall register the horse with the commission on forms provided by the commission.

(K) The application for registration as a Missouri stallion shall provide—

1. Name of stallion;

2. Name and address of owner;

3. Place where the stallion stood for service during the previous year;

4. Place where the stallion will stand for service in Missouri;

5. Statement that the stallion is owned or leased by a *bona fide* resident of Missouri and that the stallion will not stand for service any place outside the state before August 1 of the year in which the foal is conceived;

6. Details of ownership, such as bill of sale, lease or other documents providing proof of ownership, showing any agreements concerning breeding rights, repurchase agreements and any other relevant information requested by the commission;

7. An official certificate of registration from the United States Trotting Association (U.S.T.A.), which will be returned to the applicant; and

8. A fee of one hundred dollars (\$100) shall accompany each application.

(L) To qualify for registration as a Missouri stallion—

1. The owner must be a *bona fide* resident;

2. The stallion must reside in Missouri from January 1 through July 31 of the year of registration; or

3. The horse shall be going to stud for its first season.

(M) Upon receipt of appropriate applications and having ascertained that a stallion is qualified to be registered and/or eligible as a Missouri stallion, the commission shall issue a registration certificate.

1. The certificate shall be available for inspection at the premises where the stallion stands.

2. This certificate shall be valid as long as all stallion residency and notification procedures as described in this rule are met, but shall be renewed annually.

3. In the event of sale or transfer of a registered stallion, same shall be entered on the back of the certificate and the endorsed certificate sent to the commission. If the new ownership is qualified to register the stallion as a Missouri stallion, a new application shall be submitted containing the same information as required in an original application, accompanied by a bill of sale and the annual fee.

4. If the registered stallion leaves the state before August 1 of the registration year, the certificate shall be invalidated. Notice of the departure shall be made to the commission. If the owner subsequently wishes to return the stallion to service in Missouri, the original application procedure shall be required.

5. Any change in location of the stallion within Missouri shall be reported to the commission.

6. Any change in location of the stallion out-of-state for nonbreeding purposes shall be reported to the commission.

(N) Every person offering or standing a Missouri-registered stallion for service shall maintain a complete breeding record of the stallion and all mares bred to the stallion. The records shall be available to the commission and shall provide—



1. Name of mare;
2. Dam and sire of mare;
3. Name and address of owner of mare;
4. First and last dates on which the stallion was bred to the mare;
5. Place where the stallion was standing at the time of the breeding of the mare;
6. The name of the person in charge of the stallion at time of service; and
7. Any other relevant information requested by the commission.

(O) A report entitled Record of Mares Bred shall be filed with the commission by September 1 of each year on forms provided by the commission.

(P) To be considered a Missouri-foaled horse, each horse shall either be—

1. A standardbred horse foaled in Missouri prior to January 1, 1987, registered by the U.S.T.A. as Missouri foaled; or
2. A standardbred horse foaled in Missouri after January 1, 1987 to a broodmare either—

A. Resident for thirty (30) days in Missouri until the foal is inspected, if in foal to a registered Missouri stallion;

B. Resident for thirty (30) days in Missouri until the foal is inspected, if bred to a registered Missouri stallion; or

C. Continuous resident from December 31 until the foal is inspected, if bred by other than a Missouri-registered stallion and which is not bred back to a Missouri stallion.

(Q) An application for registration as Missouri-foaled horse shall be filed with the commission providing—

1. Name of broodmare;
2. Name of sire;
3. Date of foaling;
4. Color, sex and markings; and
5. U.S.T.A. registration certificate.

(R) Having met the commission's requirements for eligibility as Missouri-foaled, the commission shall affix its' seal on the face of the U.S.T.A., including the commission's registration number for the horse. This certificate shall constitute the official registration certificate for the fund program. If the U.S.T.A. certificate is lost or destroyed, the duplicate U.S.T.A. certificate shall be recertified by the commission.

(S) For mares to be eligible for the fund program and for their foals to be eligible for Missouri-foaled races, the owner of the mare shall provide a mare status report to the commission by December 1 of the year bred which shall include:

- A. The place where the mare will foal;
- B. The name of the person responsible for the mare at the time of foaling; and
- C. If the mare is to be bred back to a Missouri-registered stallion or to a stallion standing at service outside the state.

(T) Missouri-owned standardbred horses shall be owned by a resident of Missouri who has resided in Missouri for nine (9) months prior to race date. The horse must be so owned for sixty (60) days prior to race date, excepting as provided in commission rules concerning claiming.

(U) Each association licensed to conduct standardbred racing shall conduct two (2) Missouri-owned races each week.

(V) The commission shall have access to premises on which qualified mares, foals and stallions are kept.

(W) Fees for registration under the Missouri Standardbred Fund shall be—

- | | |
|---------------------------------------|----------------|
| 1. Stallion (Eligibility Certificate) | \$100.00/year; |
| 2. Broodmare | \$35.00/year; |
| 3. Foal | \$15.00; |
| 4. Yearlings | \$15.00; |
| 5. 2-year olds | \$40.00; |
| and | |
| 6. 3-year olds and older | \$75.00. |

(X) Each association licensed to conduct standardbred racing shall provide for the running of the following Missouri-bred races (stake) at a distance of one (1) mile during each year—

1. 2-year old filly pace;
2. 2-year old colt pace;
3. 3-year old filly trot;
4. 2-year old colt trot;
5. 3-year old colt pace;
6. 3-year old filly pace;
7. 3-year old filly trot; and
8. 3-year old colt trot.

(Y) Fees for nominating and sustaining shall be—

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|---|----------|
| 1. Nominating fee due March 15 | \$25.00; |
| 2. Sustaining fee due April 15 | \$35.00; |
| and | |
| 3. Starting fee due two (2) days prior to race date | \$50.00. |

Auth: sections 313.540 and 313.710, RSMo (1986). Original rule filed Jan. 9, 1987, effective June 11, 1987.

12 CSR 50-15.020 Thoroughbred Breeding Fund
(Rescinded October 31, 1991)

12 CSR 50-15.030 Quarter Horse Breeding Fund
(Rescinded October 31, 1991)

12 CSR 50-15.040 Administrative Authority

PURPOSE: This rule sets forth guidelines for administration and qualifications of breeding funds for thoroughbred and quarter horses.

(1) The Missouri Thoroughbred and Quarter Horse Breeder's Fund is created and will be referred to as the fund. The fund shall be administered by the commission with the assistance and advice of the Missouri Thoroughbred and Quarter Horse Breeder's Fund Advisory Committee and will be referred to as the committee.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.050 Advisory Committee

PURPOSE: This rule sets forth the structure for the Breeder's Fund Advisory Committee.

(1) The committee shall consist of seven (7) members—two (2) from the organization that represents the majority of the states thoroughbred breeders, two (2) from the organization that represents the majority of the state's quarter horse breeders, one (1) member from a licensed association, one (1) member-at-large appointed by the commission and one (1) member of the commission who shall be the chairman of committee.

(2) Members shall be appointed by June 1 of each year. If any member other than the commission member has not been recommended by May 15 of each year, the commission shall make the appointment for the organization failing to do so by the deadline. Members shall receive no compensation for their services. The committee shall meet no less than twice annually.

(3) The committee shall recommend to the commission the added money and award payment levels for the disbursement of the fund.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.060 Deposits of Fund

PURPOSE: This rule sets forth procedures for the deposit of funds into the breeder's fund.

(1) Each association licensed by the commission to conduct thoroughbred and/or quarter horse racing shall allocate the amounts specified by statute and rules of the commission to that fund. That amount shall be paid to the commission within three (3) days after each racing day. All registration fees shall also be deposited in the fund.

(2) The commission shall deposit all monies in the appropriate Missouri Breeder's Fund account in the state treasury. A separate account for thoroughbred and quarter horse shall be maintained.

(3) The distribution of the pari-mutuel handle earmarked for the fund between breeds shall be determined by a formula approved by the commission.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.070 Expenditures From Fund

PURPOSE: This rule sets forth the guidelines for the expenditures from the breeder's fund.

(1) All payments from the fund shall be made by order of the commission.

(2) Payments from the fund shall be disbursed to the following:

(A) To owners of registered Missouri-bred horses that finish fourth or better in races run in the state;

(B) To breeders of registered Missouri-bred horses that finish fourth or better in races run in the state;

(C) To owners of registered stallions that sire Missouri-bred horses that finish fourth or better in races run in the state;

(D) For purse supplements for stake races run in this state and restricted to Missouri-bred horses;

(E) For administration of the fund; and

(F) For promotion of the fund.

(3) In the event the total amount received exceeds the amount expended in any year, the unexpended amount(s) shall be carried forward for disbursement in subsequent years.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.080 Organizational Licensee's Responsibility

PURPOSE: This rule sets forth the organizational licensee's responsibilities regarding the breeders' fund.

(1) Each association licensed to conduct thoroughbred and/or quarter horse racing shall provide at least two (2) races, one (1) for each breed, each day restricted to horses registered in the fund. These races shall be known as Missouri Breeders' Fund races. No horse shall be permitted to enter in these races unless duly registered under the rules of the commission.

(2) Conditions of these races shall be commensurate with the past performances and class of available horses. The association shall open nonstake Missouri Breeders' Fund races to other horses if they should fail to fill after adequate time. Horses registered in the fund shall be preferred in those races.

(3) The official program shall denote all horses registered in the fund.

(4) Any monies paid from the fund shall not be included in or have relation to the purse or stakes paid by any licensed association.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.090 Registration Required for Missouri-Bred Eligibility

PURPOSE: This rule sets forth requirements for eligibility in the breeders' fund.

(1) Unless the breeder or owner of a Missouri-bred horse has registered same with the Missouri Horse Racing Commission and attested that the horse is a Missouri-bred, that horse is ineligible for entry in races for

Missouri-bred horses. The breeder of that horse will not be entitled to Missouri-bred breeders' awards for that horse. The owner of that horse will not be entitled to Missouri-bred owners' awards for that horse. The owner of the sire of that horse will not be entitled to Missouri-bred stallion awards for that horse.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.100 Requirements for Broodmare Eligibility

PURPOSE: This rule sets forth registration requirements for broodmare.

(1) Effective January 1, 1992, in order to be eligible for registration in the fund, qualify for breeders' or owners' awards and qualify offspring for registration in the fund, the following requirements must be met:

(A) The broodmare must be permanently domiciled in Missouri. The broodmare may be shipped out-of-state to be served by a stallion, provided she is returned to Missouri to resume her domicile no later than December 1. The mare may leave the state for an indefinite period of time to race, for performance purposes or for medical treatment; and

(B) The broodmare must be in Missouri and registered by December 1 prior to the year the broodmare will foal. The owner of the mare shall complete an application for mare registration on a form provided by the commission. Failure to submit the broodmare registration form on or before the December 1 cut-off date (excluding Saturdays and Sundays) will disqualify any subsequent claims for breeders' award payments or for the foal to be registered as Missouri-bred.

(2) The breeder of an accredited Missouri registered foal is the owner or lessee of the dam at the time of foaling as reflected on the Jockey Club or American Quarter Horse Association Certificate.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.110 Eligibility Requirements for Stallions

PURPOSE: This rule sets forth eligibility requirements for stallions.

(1) To be eligible for registration in the fund and qualify for stallion owners' awards, the following requirements must be met:

(A) The stallion shall be at least fifty percent (50%) owned or at least fifty percent (50%) leased by a resident(s) of Missouri, and standing for service within Missouri at the time of a foal's conception and that stallion must not stand for service at any place outside Missouri during the calendar year in which the foal is conceived; the stallion may leave the state for an indefinite period of time to race, for performance purposes or for medical treatment; and

(B) The owner of the stallion shall complete an application on a form provided by the commission. The stallion must be duly registered in the fund no later than January 31 of the year the foal is conceived. However, a stallion which has not been in Missouri for breeding purposes before January 31 of the current breeding season may be eligible for stallion awards if the stallion has been properly registered with the commission prior to servicing any mare and that stallion has not serviced any mare after December 31 of the preceding year. A stallion Renewal Form provided by the commission must be completed for the registered stallion no later than January 31 of each year to remain eligible.

(2) The owner or lessee of an accredited Missouri stallion, for the purpose of qualifying for stallion awards, is the owner/lessee of record at the time the offspring is conceived. If the stallion is leased, a copy of the lease must accompany the registration application. The lease must contain a statement that the lessee is authorized to sign the breeding certificate.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.120 Eligibility Requirements for Racing Stock (Grandfather Clause)

PURPOSE: This rule sets forth eligibility requirements for racing stock foal prior to January 1, 1992.

(1) Any horse foaled in Missouri prior to January 1, 1992, whose Jockey Club registration certificate if a thoroughbred, or American Quarter Horse Association registration certificate if a quarter horse, designates that the horse was foaled in Missouri, may register as a Missouri-bred horse by December 31, 1993. Those horses meeting the criteria of this rule may register for a fee of twenty-five dollars (\$25). The owner shall complete the registration certificate or American Quarter Horse Association registration certificate by certified mail. If a horse has met all requirements for registration, the commission shall affix its official seal on the certificate and shall include the breeders' fund registration number. The certificate shall be returned to the owner or his/her designee by certified mail.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.130 Inspection of Registration

PURPOSE: This rule sets forth guidelines regarding the inspection of registrants.

(1) Each horse registered in the fund as a broodmare, stallion or foal is subject to inspection and identification by a commission staff member at any time. The owner, lessee, resident manager or any individual responsible for the care, control and custody of the horse shall cooperate fully with any inspection or investigation by the commission.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.140 False Statements Concerning Missouri-Bred Registration

PURPOSE: This rule sets forth penalties for false statements concerning horses registered in the fund.

(1) Any person who fails to disclose or states falsely any information required in the registration process of the Missouri-bred program may be subject to penalties at the discretion of the commission. Those penalties

may include disqualification and exclusion from the Missouri-bred program of both the horse(s) and person(s) involved in the dispute. Penalties may also include fine, suspension and/or revocation of a Class C license or disqualification from obtaining a Class C license.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.150 Notification of Ownership Changes

PURPOSE: This rule sets forth guidelines regarding the notification of ownership changes.

(1) Any changes in the ownership, lessee/lessor or resident manager of any registrant in the fund, whether a broodmare, stallion or racing stock, must be reported promptly to the commission in writing. It is the responsibility of the new owner, new lessee or new resident manager to report any change or details concerning rights of ownership change, such as a bill of sale. The ownership of all horses registered in the fund must correspond to the ownership listed on the registration certificate. The change of stallion ownership must be reported on a form provided by the commission.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.160 Eligibility Requirements for Racing Stock (Starting With Foals of 1992)

PURPOSE: This rule sets forth eligibility requirements for racing stock starting with foals of 1992.

(1) To be eligible to be registered in the fund, each horse shall be foaled in Missouri to a broodmare duly registered in the fund. The broodmare must meet all eligibility and registration requirements.

(2) The foal must be registered with the Racing Commission within thirty (30) days from the date a horse is foaled in Missouri.

Foals not registered within thirty (30) days may register by December 31 of the year foaled for a late fee of two hundred dollars (\$200). The registration form must contain the date of foaling, sire, dam, the name of the owner of the foaling dam, the date the foal was born and an owner's statement that the foal was born in Missouri. Failure to register the horse by December 31 of the year of foaling will disqualify any subsequent claims for breeders' award payments or for the foal to be registered as a Missouri-bred.

(3) Prior to a horse becoming eligible for awards from the fund, the owner shall forward The Jockey Club registration certificate or the American Quarter Horse Association certificate by certified mail to the commission. A photocopy will not be considered sufficient. If the horse has met all the requirements for registration, the commission shall affix its official seal on the face of the certificate which shall include the commission's registration number for that horse. Failure to have the foal certificate embossed shall disqualify any claim to enter the horse in a restricted race or to earn any breeders' owners' or stallion owners' awards.

(4) The certification on The Jockey Club registration certificate or the American Quarter Horse Association certificate will be the official registration certificate for the fund.

(5) If the certificate is lost, destroyed or replaced, the duplicate certificate for that horse shall be recertified by the commission to be valid for the fund.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.170 Notification of Address Change

PURPOSE: This rule sets forth guidelines regarding the notification of address change.

(1) Any change of address of any breeder, owner or stallion owner eligible to receive awards must be promptly reported to the commission.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.

12 CSR 50-15.180 Registration Fees

PURPOSE: This rule sets forth the fees for horses registering in the breeders' fund.

(1) Categories (A), (B) and (C) are registries for breeding purposes only. Category (D) is for racing purposes only. Accredited Missouri registered racing stock converse to breeding stock must be registered in the permanent stallion or broodmare registry. The fees are as follows:

- (A) Stallion (first time registrants) \$100.00;
- (B) Stallion (annual renewal) \$ 25.00;
- (C) Broodmare (effective January 1, 1992) \$ 25.00;
- (D) Foals (effective January 1, 1992) starting with foals of 1992 \$ 25.00;
- (E) Yearlings and older (effective January 1, 1992) starting with foals of 1992— not eligible.

Auth: sections 313.540 and 313.710, RSMo (1986) and 313.720, RSMo (Cum. Supp. 1990). Original rule filed June 14, 1991, effective Oct. 31, 1991.